



UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 24 2003

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Bryan K. Wheelock
Harness, Dickey & Pierce, P.L.C.
Suite 400
7700 Bonhomme
St. Louis, MO 63105

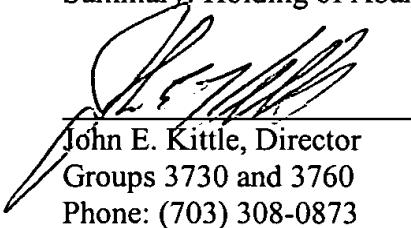
Paper No. 4

In re Application of :
Rogers C. Ritter et al : *SUA SPONTE*
Serial No. : 09/842,417 : RESCISSION OF
Filed : April 25, 2001 : NOTICE OF
For : Open Field System For Magnetic Surgery : ABANDONMENT

A review of the application reveals that an Office action was mailed to applicants on November 7, 2002. On July 1, 2003, a Notice of Abandonment was mailed indicating that the application was being abandoned for failure to file a response to the Office action mailed November 7, 2002. The abandonment of the application was premature given the fact that applicant had filed a response on February 7, 2003.

In view of these facts, the abandonment was clearly premature and is hereby rescinded. The application will be forwarded to the Examiner via the Legal Instruments Examiner for entry and consideration of the response filed February 7, 2003.

Summary: Holding of Abandonment Rescinded.



John E. Kittle, Director
Groups 3730 and 3760
Phone: (703) 308-0873

ak/9/29/03